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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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IN RE APPLICATION OF	)	
	)	
Cheng et al.	)	GROUP ART UNIT: 1638
	)	
SERIAL NO.: 09/459,022	)	EXAMINER: G. Helmer
	)	
FILED: December 10, 1999	)	February 5, 2003
	)	
TITLE: An Improved Efficiency Agrobacterium-Mediated Plant Transformation Method	)	

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage paid, in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C., 20231 on February 5, 2003

Thomas P. McBride
Registration No. 32,706

_____ Date 5 Feb 03

Commissioner of Patents and Trademarks
Washington, DC 20231

AMENDMENT B AND REMARKS TO OFFICE ACTION

Dear Sir:

This Amendment B and Remarks is filed in response to the Office Action dated 5 August 2002. A request for a Three Month Extension of Time is being filed simultaneously herewith to render this Amendment timely filed. Please amend the application as follows:

In the Claims

A clean version of the claims as amended is presented below. Please substitute these amended claims for the pending claim of the same number.

1. (twice amended) A method for producing a fertile transgenic plant, comprising the steps of:

(a) inoculating a regenerable plant cell or tissue selected from the group consisting of immature embryos or embryogenic callus from wheat or maize and hypocotyl sections or callus cell suspension cultures from soybean with *Agrobacterium* containing a genetic component capable of

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